

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY ALLEN,
Plaintiff

v.

J.A. ECKARD, et al.,
Defendants

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No. 1:17-cv-00996

(Judge Rambo)

ORDER

AND NOW, on this 8th day of May 2018, **IT IS ORDERED THAT:**

1. The Commonwealth Defendants' motion for judgment on the pleadings (Doc. No. 20), is **GRANTED** in part and **DENIED** in part as follows:
 - a. The motion is **GRANTED** in favor of Defendants Eckard and Eberling and against Plaintiff as to the failure to protect claim asserted against Defendants Eckard and Eberling;
 - b. The motion is **GRANTED** in favor of Defendant Himes and against Plaintiff as to the due process claim and conspiracy claim asserted against Defendant Himes, and Defendant Himes is **DISMISSED** from this action;
 - c. The motion is **DENIED** in all other respects;
2. Plaintiff's motion for relief from judgment or order (Doc. No. 38), is **DEEMED withdrawn**; and
3. The discovery deadline is **ENLARGED** to September 2, 2018 and dispositive motions shall be filed within thirty (30) days from the close of discovery.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge